

INITIATIVE 745

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 745 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to improving traffic; adding a new section to
2 chapter 47.01 RCW; adding a new section to chapter 46.68 RCW; adding a
3 new section to chapter 43.09 RCW; adding a new section to chapter 82.08
4 RCW; adding a new section to chapter 82.12 RCW; adding a new section to
5 chapter 36.70A RCW; adding a new section to chapter 44.40 RCW; and
6 creating a new section.

7 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

8 **IMPROVING TRAFFIC BY MAKING ROAD CONSTRUCTION AND ROAD MAINTENANCE THE**
9 **TOP PRIORITY OF THE STATE TRANSPORTATION SYSTEM**

10 NEW SECTION. **Sec. 1.** A new section is added to chapter 47.01 RCW
11 to read as follows:

12 New road and lane construction and road maintenance shall be the
13 state's top priority for transportation system improvements.

14 **IMPROVING TRAFFIC BY REQUIRING 90% OF TRANSPORTATION FUNDS BE SPENT ON**
15 **ROAD CONSTRUCTION AND ROAD MAINTENANCE**

NEW SECTION. **Sec. 2.** A new section is added to chapter 46.68 RCW to read as follows:

(1) The legislature, in consultation with local governments, shall adopt implementing legislation which requires a minimum of 90% of transportation funds to be spent on construction of new roads, new lanes on existing roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(2) For the purposes of this section, "transportation funds" are government funds spent for transportation purposes, including, but not necessarily limited to, the transportation fund, the highway fund, public transit and ferry operating accounts and reserves, public transit and ferry capital accounts and reserves, local government transportation accounts, public transportation authorities, transportation benefit districts, and the account established in RCW 81.100.070.

(3) For the purposes of this section, "transportation funds" do not include federal funds which the federal government requires to be spent on purposes other than construction of new roads, new lanes on existing roads, improvements to the traffic carrying capacity of roads, or maintenance of roads.

(4) For the purposes of this section, "transportation funds" do not include transportation vehicle funds used for school districts or funds used by airports or port districts, or public ferry and public transit fares.

(5) For the purposes of this section, "roads" includes all publicly owned roads, streets, and highways.

(6) For the purposes of this section, a regional transportation authority created pursuant to chapter 81.112 RCW shall make expenditures of transportation funds for projects, programs, and services within the area boundaries of that regional transit authority.

(7) The office of financial management shall provide a report detailing transportation expenditures beginning August 1, 2001, and every year thereafter, to ensure compliance with this section.

IMPROVING TRAFFIC BY REQUIRING PERFORMANCE AUDITS OF TRANSPORTATION AGENCIES

NEW SECTION. **Sec. 3.** A new section is added to chapter 43.09 RCW to read as follows:

1 The state auditor shall conduct a performance audit on each
2 transportation agency, account, and program, including, but not
3 necessarily limited to, the department of transportation, the state
4 ferry system, and all public transit agencies in the state.
5 Transportation funds shall be used for the cost of each audit. The
6 first audit report for each transportation agency, account, and program
7 shall be submitted to the legislature and made available to the public
8 on or before December 31, 2001. Subsequent performance audits shall be
9 conducted when determined necessary by the state auditor.

10 **IMPROVING TRAFFIC BY EXEMPTING ROAD CONSTRUCTION MATERIALS AND LABOR**
11 **FROM SALES AND USE TAXES**

12 NEW SECTION. **Sec. 4.** A new section is added to chapter 82.08 RCW
13 to read as follows:

14 The taxes levied by RCW 82.08.020 shall not apply to materials and
15 labor used in the construction or maintenance of publicly owned roads,
16 streets, and highways.

17 NEW SECTION. **Sec. 5.** A new section is added to chapter 82.12 RCW
18 to read as follows:

19 The taxes levied by RCW 82.12.020 shall not apply to materials and
20 labor used in the construction or maintenance of publicly owned roads,
21 streets, and highways.

22 **IMPROVING TRAFFIC BY UPDATING TRANSPORTATION PLANS**

23 NEW SECTION. **Sec. 6.** A new section is added to chapter 36.70A RCW
24 to read as follows:

25 The traffic element of comprehensive plans developed under RCW
26 36.70A.070(6)(a) and development regulations shall be updated to
27 reflect the provisions and priorities of this act.

28 NEW SECTION. **Sec. 7.** A new section is added to chapter 44.40 RCW
29 to read as follows:

30 Comprehensive plans developed under RCW 44.40.070 shall be updated
31 to incorporate the funding priorities established by this act.

32 **CONSTRUCTION CLAUSE**

1 NEW SECTION. **Sec. 8.** The provisions of this act are to be
2 liberally construed to effectuate the policies and purposes of this
3 act.

4 **SEVERABILITY CLAUSE**

5 NEW SECTION. **Sec. 9.** If any provision of this act or its
6 application to any person or circumstance is held invalid, the
7 remainder of the act or the application of the provision to other
8 persons or circumstances is not affected.

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